

The Westfield Washington Township Board of Zoning Appeals met at 7:00 p.m. on Tuesday, December 8, 2015, at Westfield City Hall. Members present included Martin Raines, Ron Rothrock and Dave Schmitz. Also present were Kevin Todd, Senior Planner, Pam Howard, Associate Planner; and Brian Zaiger, City Attorney.

### **APPROVAL OF MINUTES**

Schmitz moved to approve the November 10, 2015, meeting minutes.

Sanders seconded, and the motion passed by 3-0 vote.

Sanders seconded, and the motion passed 3-0.

Todd reviewed the Public Hearing Rules and Procedures.

### **ITEMS OF BUSINESS**

**1511-VS-17**  
[PUBLIC HEARING]

**14291 Thatcher Lane**  
*Huntington Bank by Expedite the Diehl*  
The petitioner is requesting a Variance of Development Standard to modify a previously granted variance to allow for an increase of the permitted Sign Area for an Outlot (Article 6.17(J)(8)(a)).

**1512-VS-18**  
[PUBLIC HEARING]

**14291 Thatcher Lane**  
*Huntington Bank by Expedite the Diehl*  
The petitioner is requesting a Variance of Development Standard to modify a previously granted variance to: (i) allow for a Monument Sign to be permitted for an Outlot (Article 6.17(J)(8)(b)); and (ii) allow the Monument Sign along the Outlot's Thatcher Lane frontage.

**1512-VS-19**  
[PUBLIC HEARING]

**14291 Thatcher Lane**  
*Huntington Bank by Expedite the Diehl*  
The petitioner is requesting a Variance of Development Standard to modify a previously granted variance to allow four (4) signs to be located on the Outlot's accessory drive-through structures.

Howard presented an overview of the requested variance, as summarized in the Department's report, and noted the petitioner was in attendance to answer any questions.

Tracey Diehl, Expedite the Diehl, Petitioner for Huntington Bank gave a brief presentation of the project.

Public Hearing opened at 7:17 p.m.

No public comments.

Public Hearing closed at 7:18 p.m.

Schmitz motioned to approve petition 1511-VS-17.

Rothrock seconded, and the motion passed 3-0.

Raines moved to adopt the Department's recommended findings of fact.

Rothrock seconded, and the motion passed 3-0.

Schmitz motioned to approve petition 1512-VS-18.

Rothrock seconded, and the motion passed 3-0.

Raines moved to adopt the Department's recommended findings of fact.

Schmitz seconded, and the motion passed 3-0.

Rothrock motioned to approve petition 1512-VS-19.

Raines seconded, and the motion passed 3-0.

Rothrock moved to adopt the Department's recommended findings of fact.

Schmitz seconded, and the motion passed 3-0.

**1511-VU-09**

[PUBLIC HEARING]

**2228 E. State Road 38**

*Ronald Clifford by Coots, Henke & Wheeler, P.C.*

The petitioner is requesting a Variance of Use to allow the "assembly of pre-manufactured parts, components" in the AG-SF1: Agriculture/Single-Family Rural District (Chapter 13: Use Table).

Todd presented an overview of the requested variance as summarized in the Department's report, and noted the petitioner was in attendance to answer any questions.

Dave Coots, Coots, Henke & Wheeler, P.C., representing the petitioner, gave a brief presentation of the petition.

Public Hearing opened at 7:41 p.m.

Susan Pettijohn, 2314 SR 38 E, representing Pettijohn and GWLN; made an objection because she believes Zaiger and the petitioner have a conflict of interest. She also stated that Pettijohn's mother shares a driveway with the Petitioner. She said that the driveway is being blocked by semi-trucks running shipments all day. She said that she does not want commercial activity in this residential area.

Tim Luther, 2120 SR 38 E, Next door neighbor and spoke in favor of the petition.

Susan Luther, 2120 SR 38 E, Spoke in favor of the petition and said that it is hard for the semis to enter the driveway, but that that she rarely see them. She added that the business is quiet.

Public Hearing closed at 7:57 p.m.

Petitioner addressed issues regarding the driveway.

Schmitz had questions for Pettijohn regarding driveway issues and semis making deliveries.

Pettijohn stated there was not a large amount of noise, just back up an issue with semis blocking driveway.

Rothrock motioned to approve the petition with the following conditions:

1. The "[A]ssembly operations of pre-manufactured parts, components" shall be limited in scope and operation to the Petitioner's Narrative and Site Plan, attached hereto and incorporated herein as Exhibit 4 and Exhibit 5, respectively. Any expansion or substantial alteration to the scope and operation of the Variance of Use, as determined by the Director, shall require approval by the Board of Zoning Appeals.
2. This Variance of Use shall be limited to the Property Owner and shall expire upon the ownership transfer of the Property to an owner other than the existing Property Owner.
3. All loading and unloading activity, including deliveries to and from the Property, shall only occur on the Property and not within the adjacent right-of-way, nor shall it prohibit or hinder access to and egress from adjacent properties.

Schmitz seconded, and the motion passed 3-0.

Rothrock moved to adopt the Department's recommended findings of fact.

Schmitz seconded, and the motion passed 3-0.

[PUBLIC HEARING]

**2228 E. State Road 38**

*Ronald Clifford by Coots, Henke & Wheeler, P.C.*

The petitioner is requesting Variances of Development Standard for a reduction of: (i) the Minimum Lot Area (Article 4.2(E)(2)); (ii) the Minimum Lot Frontage (Article 4.2(C)); and (iii) the Side and Rear Yard Minimum Building Setback Line (Article 4.2(D)) in the AG-SF1: Agriculture/Single-Family Rural District.

Todd presented an overview of the requested variance as summarized in the Department's report, and noted the petitioner was in attendance to answer any questions.

Dave Coots, Coots, Henke & Wheeler, P.C., representing the petitioner, gave a brief presentation of the petition.

Public Hearing opened at 8:28 .p.m.

No public comments

Public Hearing closed at 8:29 p.m.

Schmitz motioned to approve with the condition that both parcels remain in joint ownership.

Rothrock seconded, and the motion passed 3-0.

Rothrock moved to adopt the Department's recommended findings of fact.

Schmitz seconded, and the motion passed 3-0.

**REPORTS/COMMENTS**

Plan Commission Liaison, report by Schmitz.

Economic and Community Development Department, no report.

Rothrock motioned to adjourn the meeting.

Raines seconded, and the motion passed.

The meeting adjourned at 8:40 p.m.

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Chairperson  
Martin Raines

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Secretary  
Matthew S. Skelton, Esq., ACIP  
Director